

**REMARKS**

In the above-identified Office Action the Examiner has rejected claims 1, 5 and 6 as anticipated by Weber et al. The Examiner states that Weber et al. teaches a change in pull rate limited to  $-0.3$  to  $0.3$  mm/min. In addition, claims 2-4 have been rejected as unpatentable over Weber et al. The Examiner has stated that it would have been obvious in the art to determine through routine experimentation the optimum operable time of change in use of magnetic fields in the Weber et al. reference.

Applicant disagrees with the Examiner's application of Weber et al., noting that Weber et al. teaches not pulling rate but rather "growth fluctuations" during the pulling of the single crystal may be limited to the specified range. In paragraph 12, Weber et al. further explains that growth fluctuations can also be limited by applying a magnetic field which influences the convection of the molten material. Low pulling rates are preferable. The pulling rates are those at which the crystal movement during the pulling of the single crystals preferably no more than  $0.8$  mm/min and particularly preferably no more than  $0.6$  mm/min. This is not the  $0.025$  mm/min recited in Applicant's claims and certainly Applicant's speed of pulling is not obvious from such teaching of Weber et al.

The problem to be solved by the invention of Weber et al is to control the local stress causing dislocation in the single crystal, which differs from that of the present invention that is to improve the planarity of the wafer by reducing the variation in concentration of the impurity. To control the local stress, Weber et al. provides an adjustment range for growth fluctuations of  $-0.3$  mm/min to  $0.3$  mm/min, which significantly differs from the condition provided by the present invention.

As described above, even if the operable time of change is optimized as much as possible based on the disclosure of Weber et al., it is impossible to arrive at the requirement in which "speed fluctuation width in 10 seconds is adjusted to less than 0.025 mm/min", as recited in Claim 2 of the present application, Weber's problem solved by his invention is different from that of the present invention.

Applicant hereby requests reconsideration and reexamination thereof.

With the above amendments and remarks, this application is considered ready for allowance and applicant earnestly solicits an early notice of same. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, she is respectfully requested to call the undersigned at the below listed number,

US 10/589,587



Dated: June 17, 2008

Respectfully submitted,

A handwritten signature in cursive script that reads "Gerald T. Shekleton".

**Gerald T Shekleton**

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